

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ALLSTATE INSURANCE COMPANY,
ALLSTATE PROPERTY & CASUALTY INSURANCE
COMPANY,
ALLSTATE FIRE & CASUALTY INSURANCE COMPANY,
AND ALLSTATE INDEMNITY COMPANY,

C.A. No.7:20-cv-01959

Plaintiffs,

v.

JAMES A. SPINA II, D.C.,
ANDREA GROSSMAN,
KIMBERLY A. SPINA,
MAELIEN SPINA,
CATSKILL MEDICAL CARE, P.C. (d/b/a MIDDLETOWN
PHYSICAL THERAPY AND PAIN MANAGEMENT),
TAMMY GARCIA-KLIPFEL, ESQ., as personal representative of
the Estate of HERBERT M. GARCIA, M.D., deceased,
PHYSICAL MEDICINE & DIAGNOSTIC TESTING, P.C.,
CLIFTON D. BURT, M.D.,
CHARLES H. BAGLEY, M.D.,
MIDDLETOWN PHYSICAL THERAPY, P.C. (d/b/a PHYSICAL
THERAPY OF ORANGE COUNTY),
ELEANORE B. ROBLES, PT (a/k/a ELEANORE B. ROBLES-
PARAS, PT),
MID HUDSON ACUPUNCTURE, P.C.,
RALPH J. STORM, L.AC.,
OPEN MRI OF MIDDLETOWN, L.L.C.,
UPSTATE RADIOLOGY, P.C.,
ACCREDITED MEDICAL SUPPLY INC.,
EFFECTIVE MARKETING & COMMUNICATIONS, LLC,
JJMJ REALTY COMPANY, AND
ROSWELL REALTY LLC,

Defendants.

PROPOSED ORDER ENDORSING ALLSTATE AND JJMJ REALTY CO.'S

STIPULATION FOR ATTACHMENT

Upon consideration of Plaintiffs Allstate Insurance Company, Allstate Property & Casualty Insurance Company, Allstate Fire & Casualty Insurance Company, and Allstate Indemnity

Company (collectively, "Allstate" or "Plaintiffs") Stipulation filed on September 22, 2022 by Plaintiffs and Defendant JJMJ Realty Company, the Court being duly advised and good cause having been shown the Court finds as follows:

1. There is real property in the name of Defendant, JJMJ Realty Company located at 9 Turner Street, Unit 11, Clearwater, Florida 33756;
2. Pursuant to the terms of a settlement agreement submitted to this Honorable Court, Allstate is granted a first in time attachment on the proceeds of any sale of this property held in the name of JJMJ Realty Company located at 9 Turner Street, Unit 11, Clearwater, Florida 33756;

Therefore, IT IS HEREBY:

ORDERED that pursuant to the terms of the Parties' Settlement Agreement an attachment on the proceeds of any sale is granted to Allstate relative to the property in the name of Defendant, JJMJ Realty Company at 9 Turner Street, Unit 11, Clearwater, Florida 33756;

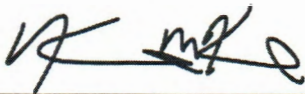
ORDERED that Defendant, JJMJ Realty Company is hereby **ENJOINED** from taking any action to otherwise encumber the property at 9 Turner Street, Unit 11, Clearwater, Florida 33756, without seeking leave of this Court;

ORDERED that Steven J. Harfenist, Esq. is appointed as the receiver for the purpose of coordinating the sale of the property at 9 Turner Street, Unit 11, Clearwater, Florida 33756;

ORDERED that the Defendant, JJMJ Realty Company, and their counsel, Steven J. Harfenist, are hereby **ENJOINED** from distributing any of the net proceeds from the sale of the property at 9 Turner Street, Unit 11, Clearwater, Florida 33756 without prior approval from Allstate; and,

ORDERED that the Defendant, JJMJ Realty Company and its agents are hereby **ENJOINED** from transferring, encumbering, dissipating, or wasting any assets for the purpose of circumventing any future judgment in this case or superseding the Order of this Court.

SO ORDERED:



The Honorable Kenneth M. Karas
White Plains, New York
November 20, 202~~2~~3